



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

MINUTES OF THE COMMITTEE ON LOCAL GOVERNMENT

May 4, 2016

12:00 p.m.

Room 307 House Office Building

Chair Chatfield called the meeting to order.

Present were: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge,

Absent and excused: Rep. Neeley.

Rep. Sheppard moved to approve the minutes of the meeting held March 23, 2016. The motion prevailed.

Chair Chatfield laid before the committee HB 4795 – Chatfield – Local government; other; prohibition of local ordinances dealing with pistols and other firearms; clarify, and provide penalties.

Chair Chatfield stated that there would be no testimony taken today on HB 4795.

The following people filled out testimony cards in support of HB 4795 and wanted to testify but did not testify.

Dakota Moore representing the National Rifle Association
Brady Schickinger representing Michigan Coalition for Responsible Gun Owners
Tom Lambert representing Michigan Open Carry
Karl Hicks representing himself
Greg O'Neill representing himself
Joel Fulton representing Freedom Firearms & Calhoun County Gun Owners

The following people filled out testimony cards in opposition to HB 4795 and wanted to testify but did not testify.

Chris Hackbarth representing Michigan Municipal League
Judy Allen representing Michigan Township Association

The following people filled out testimony cards in support of HB 4795 but did not want to testify.

Phillip Hofmeister representing himself
Tom O'Brien representing Michigan Airgun Alliance
John Lang representing himself
Todd Smith representing himself
Chris Hillman representing himself
G. R. Dinius representing himself

The following person filled out a testimony card stating no position on HB 4795 and did not want to testify.

Ben Bodkin representing Michigan Sheriff's Association

The following people filled out testimony cards in opposition to HB 4795 but did not want to testify.

Frank Foster representing Every Town for Gun Safety
Aaron Keel representing Michigan Association of School Boards
Emily LaidLaw representing Michigan Association of Intermediate School Administrators
David Zuhlke representing Middle Cities Education Association
Bob Kefgen representing Michigan Association of Secondary School Principals
Linsey White representing Moms Demand Action
Patricia Batley representing Moms Demand Action
Willie Ham representing Moms Demand Action
Lesley LeBrun representing Moms Demand Action
Linda Melarani representing Michigan Coalition to Prevent Gun Violence
Kristen Moore representing Moms Demand Action
Connie Cowper representing Moms Demand Action
Catherine Durbin representing Moms Demand Action
Kristin Pingree representing Moms Demand Action
Bill Scarborough representing Moms Demand Action
Chris Scarborough representing Moms demand Action
Linda Larsen representing Moms Demand Action
Natalie Pochert representing herself
Penny Swartz representing Moms Demand Action
Lynn Baldwin representing Moms Demand Action
Dina Shargabian Stuber representing Moms Demand Action
Peter Bertocci representing Moms Demand Action
Hazel Watson representing Moms Demand Action
Sara Easler representing herself
Rosalie Wright representing Moms Demand Action
Judy Spaly-Ness representing Moms Demand Action
Nugget Berkhart representing Moms Demand Action
Darlene Ham representing Moms Demand Action

Jerry Johnson representing South Central Education Consortium

Chair Runestad moved to adopt the substitute H-4 to HB 4795. The motion prevailed, the vote being 7-1-3.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Runestad, Sheppard, Theis, Rutledge,

Nays: Rep. Maturen

Pass: Rep. Moss.

Rep. Moss moved to amend HB 4795, substitute H-4 as follows:

1. Amend page 2, line 22, after “**SEC. 4C.**” by striking out “**(1)**”.
2. Amend page 3, line 6, by striking out all of subsections **(2)** and **(3)**.

The motion did not prevail, the vote being 4-4-3.

UNFAVORABLE ROLL CALL:

Yeas: Rep. Maturen, Theis, Moss, Rutledge,

Nays: Rep. Chatfield, Heise, Runestad, Sheppard,

Pass: Rep. Price.

Rep. Moss moved to amend HB 4795, substitute H-4 as follows:

1. Amend page 3, following line 26, by inserting:
“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 98th Legislature are enacted into law:
(a) House Bill No. 4944
(b) House Bill No. 4945.”.

The motion did not prevail, the vote being 2-7-2.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Moss, Rutledge,

Nays: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis,

Pass: None.

Rep. Rutledge moved to amend HB 4795, substitute H-4 as follows:

1. Amend page 3, following line 26, by inserting:
“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 98th Legislature are enacted into law:
 (a) House Bill No. 4590
 (b) House Bill No. 4591
 (c) House Bill No. 4592.”.

The motion did not prevail, the vote being 2-7-2.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Moss, Rutledge,

Nays: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis,

Pass: None.

Rep. Rutledge moved to amend HB 4795, substitute H-4 as follows:

1. Amend page 3, following line 26, by inserting:
“Enacting section 2. This amendatory act does not take effect unless all the following bills of the 98th Legislature are enacted into law:
 (a) House Bill No. 5195
 (b) House Bill No. 5196.”.

The motion did not prevail, the vote being 2-7-2.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Moss, Rutledge,

Nays: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis,

Pass: None.

Rep. Moss moved to amend HB 4795 substitute H-4 as follows:

1. Amend page 1, following line 7 by inserting:

“Sec. 1. As used in this act:

- (a) “Firearm” means any weapon which will, is designed to, or may readily be converted to expel a projectile by action of an explosive.
- (b) “Local unit of government” means a city, village, township, or county. **LOCAL UNIT OF GOVERNMENT DOES NOT INCLUDE A PUBLIC AIRPORT AUTHORITY.**
- (c) “Pistol” means that term as defined in section 222 of the Michigan penal code, 1931 PA 328, MCL 750.222.
- (d) “Pneumatic gun” means any implement, designed as a gun, that will expel a BB or pellet by spring, gas or air. Pneumatic gun includes a paintball gun that expels by pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.”.

The motion did not prevail, the vote being 2-5-4.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Moss, Rutledge,

Nays: Reps. Chatfield, Maturen, Runestad, Sheppard, Theis,

Pass: Rep. Price, Heise.

Rep. Runestad moved to report out HB 4795, substitute H-4 with the recommendation that it pass. The motion prevailed, the vote being 6-3-2.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Runestad, Sheppard, Theis,

Nays: Reps. Maturen, Moss, Rutledge,

Pass: None.

Chair Chatfield laid before the committee the following package of bills.

SB 599	(MacGregor)	Property; recording; fees for recording documents; revise.
SB 600	(MacGregor)	Liens; other; liens for labor on oil and gas wells; clarify fee for recording and indexing a statement claiming a lien.
SB 601	(Zorn)	Liens; other; federal tax liens; modify fee for filing and indexing liens and notices.
SB 602	(Zorn)	Liens; other; state tax liens; modify fee for recording or filing and indexing liens and notices.
SB 603	(Booher)	Liens; other; fee for recording or discharging lien; modify in the Michigan employment security act.
SB 604	(Hertel)	Commercial code; secured transactions; recording fees for mortgages that are effective as financing statements; clarify.
SB 737	(MacGregor)	State financing and management; funds; recovery of certain fees for recording certain documents; allow.
HB 5164	(Chatfield)	Land use; land division; fee collected for final plat; revise.
HB 5165	(Moss)	Property; recording; recording fee for judgments recorded by register of deeds; clarify.

The following people filled out testimony cards in support of SB 599 but did not want to testify.

Patricia Herndon representing Michigan Bankers Association
Kirk Hanna representing Michigan Credit Union League

The following person filled out a testimony card in support SB 599 – SB 604 but did not want to testify.

Steve Currie representing Michigan Association of Counties

The following people filled out testimony cards in support of HB 5164 – HB 5165, SB 599 – SB 604, SB 737 but did not want to testify.

Brad Ward representing Michigan Realtors
Lori Jarvis representing Berrien County
Cami Pendell representing Michigan Land Title Association
Murray Brown representing Michigan Mortgage Lenders
Amy Bissell representing Benzie County Register of Deeds

Sally Reynolds representing Livingston County Register of Deeds

Rep. Moss moved to adopt the substitute H-1 to SB 599. The motion prevailed, the vote being 8-1-2.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Sheppard, Theis, Moss, Rutledge,

Nays: Rep. Runestad,

Pass: None.

Rep. Moss moved to report out SB 599, substitute H-1 with the recommendation that it pass. The motion prevailed, the vote being 7-2-2.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Sheppard, Theis, Moss, Rutledge,

Nays: Reps. Maturen, Runestad,

Pass: None.

Rep. Moss moved to adopt the substitute H-1 to SB 600. The motion prevailed, the vote being 9-0-2.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Rutledge,

Nays: None,

Pass: None.

Rep. Moss moved to report out SB 600, substitute H-1 with the recommendation that it pass. The motion prevailed, the vote being 9-0-2.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Rutledge,

Nays: None,

Pass: None.

Rep. Moss moved to adopt the substitute H-1 to SB 601. The motion prevailed, the vote being 9-0-2.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Rutledge,

Nays: None,

Pass: None.

Rep. Moss moved to report out SB 601, substitute H-1 with the recommendation that it pass. The motion prevailed, the vote being 9-0-2.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Rutledge,

Nays: None,

Pass: None.

Rep. Heise moved to adopt the substitute H-1 to SB 602. The motion prevailed, the vote being 9-0-2.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Rutledge,

Nays: None,

Pass: None.

Rep. Moss moved to report out SB 602, substitute H-1 with the recommendation that it pass. The motion prevailed, the vote being 9-0-2.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Rutledge,

Nays: None,

Pass: None.

Rep. Moss moved to adopt the substitute H-2 to SB 603. The motion prevailed, the vote being 10-0-1.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge,

Nays: None,

Pass: None.

Rep. Moss moved to report out SB 603, substitute H-2 with the recommendation that it pass. The motion prevailed, the vote being 10-0-1.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge,

Nays: None,

Pass: None.

Rep. Moss moved to adopt the substitute H-1 to SB 604. The motion prevailed, the vote being 10-0-1.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge,

Nays: None,

Pass: None.

Rep. Moss moved to report out SB 604, substitute H-1 with the recommendation that it pass. The motion prevailed, the vote being 10-0-1.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge,

Nays: None,

Pass: None.

Rep. Moss moved to adopt the substitute H-1 to SB 737. The motion prevailed, the vote being 10-0-1.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge,

Nays: None,

Pass: None.

Rep. Moss moved to report out SB 737, substitute H-1 with the recommendation that it pass. The motion prevailed, the vote being 10-0-1.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge,

Nays: None,

Pass: None.

Rep. Moss moved to adopt the substitute H-1 to HB 5164. The motion prevailed, the vote being 10-0-1.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge,

Nays: None,

Pass: None.

Rep. Moss moved to report out HB 5164, substitute H-1 with the recommendation that it pass. The motion prevailed, the vote being 10-0-1.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge,

Nays: None,

Pass: None.

Rep. Moss moved to adopt the substitute H-1 to HB 5165. The motion prevailed, the vote being 10-0-1.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge,

Nays: None,

Pass: None.

Rep. Moss moved to report out HB 5165, substitute H-1 with the recommendation that it pass. The motion prevailed, the vote being 10-0-1.

FAVORABLE ROLL CALL:

Yeas: Reps. Chatfield, Price, Heise, Maturen, Runestad, Sheppard, Theis, Moss, Brunner, Rutledge,

Nays: None,

Pass: None.

Chair Chatfield laid before the committee HB 5113 – Cox – Local government; public service; enforcing a municipal water or sewage system lien; modify term.

Chair Chatfield recognized Rep. Cox to explain HB 5113 and to answer questions.

The following person testified in support of HB 5113.

Don Knapp, City Attorney for the City of Livonia

The following people filled out testimony cards in support of HB 5113 but did not want to testify.

Chris Hackbarth representing the Michigan Municipal League
Judy Allen representing Michigan Township Association

The following person filled out a testimony card stating concerns about HB 5113 and is working with the sponsor but did not want to testify.

Larry Brown representing Michigan Poverty Law Program

Rep. Rutledge moved to excuse the member that was absent. The motion prevailed.

With no further business to come before the committee Chair Chatfield adjourned the meeting, the time being 1:00 p.m.

Representative Lee Chatfield, Chair

Mary Lou Terrien, Clerk